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C O N F I D E N T I A L SECTION 01 OF 02 HARARE 000041

SIPDIS

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SUBJECT: SOUTH AFRICAN AMBASSADOR HOPES FOR EARLY PROGRESS
ON ZIMBABWE

REF: 03 HARARE 2443

Classified By: Joseph G. Sullivan for reasons 1.5(b) and (d)

1. Summary: South African Ambassador Ndou presented a positive description of possibilities for progress toward resolution of Zimbabwe's political crisis based on President Mbeki's Dec 18 visit. Ndou believed the next steps were for ZANU/PF and MDC negotiators to finalize their discussions on the constitution and transitional mechanisms to ratify the constitution and agree on transitional mechanisms to hold simultaneous presidential and parliamentary elections in 2005. End summary.

2.(C) South African Ambassador (formerly High Commissioner) Jeremiah Ndou offered the Ambassador, Jan 8, a predictably positive description of possibilities for expedited progress toward resolution of Zimbabwe's political crisis. He said that President Mbeki had found President Mugabe very well versed on the details of informal talks between ZANU negotiator Patrick Chinamasa and MDC negotiator Welshman Ncube over a new constitution, notwithstanding Mugabe's public statement that he was not well informed about such discussions. Ndou thought that Mugabe's absence for a month-long working vacation in Asia should not impede progress since Mugabe had called in Chinamasa and other ZANU-PF negotiators after his meeting with Mbeki to give them clear instructions. Ndou said that principal issues to be resolved were how to approve a new constitution, by parliamentary vote or referendum, when joint presidential and parliamentary elections should be held, what transitional mechanisms should be put in place, and how election preparations, such as selection of an independent election commission should be chosen. Mugabe had cited March as the traditional month for parliamentary elections, excluding the year 2000, and asked whether election preparations would be able to be put in place by March, 2005, Ndou acknowledged that election preparations steps could have been taken over the past several months if ZANU-PF had been willing to finalize the negotiations earlier, but he was inclined to excuse ZANU-PF delay due to distractions of the Commonwealth meeting and the ZANU-PF Conference rather than attribute it to bad faith. Chinamasa and Ncube would also be expected to negotiate an agenda and terms for initiation of a formal MDC/ZANU-PF dialogue.

3. (C) Ndou said that President Mbeki had not raised directly during his visit the delicate issue of precisely when Mugabe would leave nor the "environmental issues of dismantlement of youth brigades, respect for judicial decisions permitting reopening of the "Daily News", nor revision of the repressive public order and media legislation. Ndou said that Mbeki had chosen to focus on the core issue of agreement on a constitution and a presidential and parliamentary election. Ndou acknowledged that Mugabe had failed to fulfill prior commitments to revise repressive POSA and AIPPA legislation, since revisions only made legislation worse.

4. (C) Ndou said that he would be responsible for follow-up with the parties, but acknowledged that he had no indication of progress since Mbeki's visit and that Chinamasa would only be returning to Harare this next week. He said that Mbeki would call Mugabe as necessary and would visit if required.

5. (C) Ndou said that he believed it would be important to have the next election conducted, not just observed, by the United Nations or the African Union to assure its credibility. He also suggested international supervision of the media during the pre-election period. (It was not clear here whether these were set SAG positions, but we do not believe they have yet been proposed to the GOZ.) Ndou acknowledged that there would be Government resistance to such an idea on the basis of national sovereignty, but thought that the recent request from Justice Minister Chinamasa for UN assistance with 2005 parliamentary elections provided an entry point. Ndou was clear that current GOZ election mechanisms were inadequate and must be changed. He also stressed the need to find a means to agree on how to choose and constitute an independent election commission, as provided in the new draft constitution.

6. (C) On a separate issue, Ndou said that previously discussed South African food assistance to Zimbabwe was now less likely in view of drought conditions in South Africa. He noted his observation that this year's poor plantings

assured that current crop production would also be poor.

17. (C) Comment: Ndou had to be upbeat in view of President Mbeki's stake in the success of his quiet diplomacy. However, Ndou's description of Mugabe's commitments to Mbeki gives a bit more room for hope that progress might be made in the context of 2005 elections. But Mugabe's failure to fulfill previous commitments to Mbeki on repressive POSA and AIPPA legislation as well as his continued playing for time on an election date raise serious questions. We come to the same conclusion as in last month's reftel that meaningful engagement by ZANU-PF will require sustained and perhaps more forceful pressure by Mbeki.

18. (C) The UNresrep has treated the GOZ request for election assistance with kid gloves in view of GOZ past and present conduct of elections. We intend to discuss further with resrep the potential of a somewhat more activist UN response which could have the effect of adding to pressure for free and fair elections.
SULLIVAN